

THE HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN ELLIOTT, RICARDO CAMARGO,
JAVIER ROVIRA, and BRADLY SMITH,

Plaintiffs,

v.

VALVE CORPORATION,

Defendant.

No. 2:24-cv-01218-JNW

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND FRCP 26(f)
CONFERENCE AND MOTION TO
DISMISS DEADLINES**

**NOTE ON MOTION CALENDAR:
October 15, 2024**

The parties to this action, by and through their undersigned counsel, respectfully submit this stipulation and proposed order to the Court, stating as follows:

On October 2, 2024, Plaintiffs moved to appoint Hagens Berman Sobol Shapiro LLP and Bucher Law PLLC as interim co-lead class counsel. Dkt. 25. On October 4, 2024, four consumer plaintiffs Sean Colvin, Susann Davis, Hope Marchionda, and Everett Stephens (“Colvin Plaintiffs”) from a related case, *In re Valve Antitrust Litigation* (Case No. 2:21-cv-00563-JNW), filed a motion in that case to consolidate it with this one and to appoint Vorys,

1 Sater, Seymour and Pease LLP as interim lead class counsel. On October 11, 2024, the Colvin
 2 Plaintiffs filed a notice of their motion to consolidate in this matter. Dkt. 30. Plaintiffs intend
 3 to oppose consolidation; Valve supports consolidation. *See id.* at 2-3.

4 Defendant's current deadline to respond to the Complaint is October 15, 2024. Pursuant
 5 to ¶ 5.6 of this Court's Chambers Procedures—Civil, on September 25, 2024, Defendant
 6 informed Plaintiffs of various defects Defendant believes are present in the Complaint. On
 7 October 12, 2024, Plaintiffs informed Defendant that they do not intend to file an amended
 8 complaint in response to Defendant's notice under ¶ 5.6 of this Court's Chambers Procedures—
 9 Civil.
 10

11 The parties met and conferred, and stipulate to the following:

12 1. The October 15, 2024 deadline for Defendant to respond to the Complaint is vacated.
 13 The deadline for Defendant to respond to the Complaint is reset to within 14 days after all
 14 motions to consolidate and to appoint interim class counsel are resolved. If, however, the
 15 Complaint is to be amended as a result of the resolution of any motion to consolidate or motion
 16 to appoint lead counsel (for example, if this action is consolidated with *In re Valve Antitrust*
 17 *Litigation* and/or Hagens Berman Sobol Shapiro LLP and Bucher Law PLLC are not appointed
 18 interim co-lead counsel), the parties shall meet and confer to propose a new deadline for
 19 Defendant to respond to the amended Complaint and a new briefing schedule if Defendant
 20 intends to move to dismiss.
 21

22 2. The Rule 26(f) conference, Initial Disclosures, and Joint Status Report deadlines set by
 23 the Court in its August 30, 2024 Text Order, Dkt. 10, are vacated. The deadline for the Rule
 24

26(f) conference is reset to within 7 days after Defendant responds to the Complaint. The parties shall exchange initial disclosure within 7 days of the 26(f) conference and submit a Joint Status Report within 14 days of same.

The parties reserve the right to petition the Court to change these deadlines based on further developments in the case.

SO STIPULATED this 14th day of October, 2024.

HAGENS BERMAN SOBOL SHAPIRO LLP CORR CRONIN LLP

s/ Steve W. Berman (per email authorization)

Steve W. Berman, WSBA No. 12536
Xiaoyi Fan, WSBA No. 56703
1301 Second Avenue, Suite 2000
Seattle, WA 98101
(206) 623-7292 Phone
steve@hbsslaw.com
kellyf@hbsslaw.com

Ben M. Harrington, *Admitted Pro Hac Vice
Forthcoming*

HAGENS BERMAN SOBOL SHAPIRO LLP
715 Hearst Avenue, Suite 300
Berkeley, CA 94710
(510) 725-3034 Phone
benh@hbsslaw.com

s/ Blake Marks-Dias

Blake Marks-Dias, WSBA No. 28169
Todd T. Williams, WSBA No. 45032
Eric A. Lindberg, WSBA No. 43596
1015 Second Avenue, Floor 10
Seattle, WA 98104
(206) 625-8600 Phone
(206) 625-0900 Fax
bmarksdias@corrchronin.com
twilliams@corrchronin.com
elindberg@corrchronin.com

Attorneys for Defendant Valve Corporation

William Ward Bucher IV (*Pro Hac Vice Pending*)
BUCHER LAW PLLC
350 Northern Blvd, Ste. 324-1519
Albany, NY 12204-1000

Attorneys for Plaintiffs

Robert E. Day, *Admitted Pro Hac Vice*
Jessica Rizzo, *Admitted Pro Hac Vice*
MONTGOMERY McCRACKEN WALKER
& RHOADS LLP
1735 Market Street, 21st Floor
Philadelphia, PA 19103
Telephone (215) 772-1500
rday@mmwr.com
jrizzo@mmwr.com

Meredith Slawe, *Admitted Pro Hac Vice*
Michael W. McTigue, Jr., *Admitted Pro Hac Vice*
SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP
One Manhattan West
New York, NY 10001
meredith.slawe@skadden.com
michael.mctigue@skadden.com

Attorneys for Defendant Valve Corporation

IT IS SO ORDERED.

HONORABLE JAMAL N. WHITEHEAD
UNITED STATES DISTRICT JUDGE

Presented by:

CORR CRONIN LLP

s/ Blake Marks-Dias

Blake Marks-Dias, WSBA No. 28169
Todd T. Williams, WSBA No. 45032
Eric A. Lindberg, WSBA No. 43596
1015 Second Avenue, Floor 10
Seattle, WA 98104
(206) 625-8600 Phone
(206) 625-0900 Fax
bmarksdias@corrchronin.com
twilliams@corrchronin.com
elindberg@corrchronin.com

STIPULATION AND [PROPOSED] ORDER TO
EXTEND FRCP 26(f) CONFERENCE AND MOTION
TO DISMISS DEADLINES – Page 4
No. 2:24-cv-01218-JNW

CORR CRONIN LLP
1015 Second Avenue, 10th Floor
Seattle, Washington 98104-1001
Tel (206) 625-8600
Fax (206) 625-0900

1 Robert E. Day, *Admitted Pro Hac Vice*
2 Jessica Rizzo, *Admitted Pro Hac Vice*
3 MONTGOMERY McCracken Walker
& Rhoads LLP
4 1735 Market Street, 21st Floor
Philadelphia, PA 19103
5 Telephone (215) 772-1500
rday@mmwr.com
jrizzo@mmwr.com

6 Meredith Slawe, *Admitted Pro Hac Vice*
7 Michael W. McTigue, Jr., *Admitted Pro Hac Vice*
8 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
One Manhattan West
9 New York, NY 10001
meredith.slawe@skadden.com
michael.mctigue@skadden.com

10 *Attorneys for Defendant Valve Corporation*
11
12
13
14
15
16
17
18
19
20
21
22
23
24